

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KIMYA SIMON,

Plaintiff,

v.

JOHN AUSTIN III *et al.*,

Defendants.

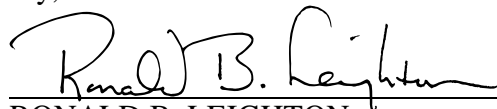
Case No. C06-5695BL

ORDER ADOPTING THE REPORT
AND RECOMMENDATION

The Court, having reviewed the file, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is procedurally barred and is **DISMISSED WITH PREJUDICE**.
- (3) Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Kelley Arnold .

DATED this 26th day of February, 2007.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE